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8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 SAN JOSE DIVISION

11 SECURITIES AND EXCHANGE  
12 COMMISSION,

13 Plaintiff,

14 v.

15 SMALL BUSINESS CAPITAL CORP.;  
16 MARK FEATHERS; INVESTORS PRIME  
FUND, LLC; and SBC PORTFOLIO  
FUND, LLC,

17 Defendants.  
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Case No. CV12-03237

**~~PROPOSED~~ ORDER APPROVING  
DISTRIBUTION PLAN AND  
AUTHORIZING INTERIM  
DISTRIBUTIONS**

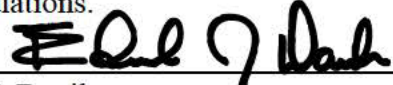
Date: April 25, 2013  
Time: 9:00 a.m.  
Ctmm: 4 - 5th Floor  
Judge: Hon. Edward J. Davila

1 The Motion for Approval of Distribution Plan and Authorization to Make Interim  
 2 Distributions ("Motion") of Thomas A. Seaman ("Receiver"), Court-appointed permanent receiver  
 3 for Small Business Capital Corp., Investors Prime Fund, LLC, SBC Portfolio Fund, LLC, and  
 4 their subsidiaries and affiliates, came before the Court. The Court, having received and read the  
 5 Motion and all papers in support thereof or opposition thereto,  
 6 and hearing from the parties, and being so advised in the matter  
 and finding good cause, orders as follows:

7 **IT IS ORDERED:**

- 8 1. The Motion is granted;
- 9 2. The Distribution Plan attached to the Motion as Exhibit A is approved;
- 10 3. The rising tide method of calculating distributions as outlined in the Motion and  
 11 Distribution Plan are approved;
- 12 4. The Receiver is authorized to make an initial round of distributions totaling  
 13 \$15 million; (\$4 million being reserved to settle the claim with the Small Business Administration);
- 14 5. The Receiver is authorized to make subsequent interim distributions in his  
 15 discretion, with notice to and approval of the Securities and Exchange Commission; and
- 16 6. Any and all claims submitted to the Receiver after <sup>February 24, 2014</sup> ~~September 25, 2013~~, are  
 17 automatically disallowed. This does not include claims submitted by identified investors, whom  
 18 the Receiver has already accounted for in the distribution calculations.

19 Dated: February 20, 2014

  
 Hon. Edward J. Davila  
 Judge, United States District Court